

Exhibit 10

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT NER HON. C. EDWARD SIMPSON, JUDGE
4

5) ASBESTOS
LAOSD ASBESTOS CASES,) No. JCCP 4674
6 Coordinated Proceeding Special Title)
(Rule 3.550))
7 _____)

8 TINA HERFORD and DOUGLAS HERFORD,)
9 Plaintiffs,)

10 vs.)

11 AT&T CORP., a subsidiary of AT&T INC. and)
its subsidiary PACIFIC BELL TELEPHONE)
12 COMPANY, et al.,)
13 Defendants.)
_____)

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17 REPORTER'S TRANSCRIPT OF PROCEEDINGS
18 THURSDAY; OCTOBER 26, 2017
19 A.M. SESSION
20
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22 (APPEARANCES, NEXT PAGE.)
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26 PAGES 1499 - 1617

27 IRENE KUBERT, CSR, CRR, RMR
Court Reporter Pro Tempore
28 License No. 10105

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M A S T E R I N D E X

OCTOBER 26, 2017; A.M. SESSION

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OCTOBER 26, 2017; A.M. SESSION

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PLAINTIFFS '		I.D.	EVIDENCE	REJECTED

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		FOR	IN	WITHDRAWN/
DEFENDANTS '		I.D.	EVIDENCE	REJECTED

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Letter

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1 CASE NUMBER: BC464315
2 CASE NAME: HERFORD VS. AT&T
3 PASADENA, CALIFORNIA THURSDAY, OCTOBER 26, 2017
4 DEPARTMENT NER HON. C. EDWARD SIMPSON, JUDGE
5 REPORTER: IRENE KUBERT, CSR NO. 10105
6 TIME: A.M. SESSION
7 APPEARANCES: (AS HERETOFORE NOTED.)

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10 (At 8:53 a.m. the following
11 proceedings were held in open court
12 out of the presence of the jury:)

13 THE COURT: Good morning.

14 (A chorus of "good mornings" was
15 heard.)

16 THE COURT: I understand there's something counsel
17 wishes to bring up before the jury comes in.

18 MR. DUBIN: Your Honor, I think one thing that
19 Mr. Masaitis was going to bring -- I was just going to
20 say, as with the other expert, we're probably going to
21 make a very brief motion to strike as to Dr. Longo when
22 his testimony is concluded.

23 If it's fine, we can wait and do that at the
24 end of the day so as not to interrupt the proceedings.
25 I wanted to flag that so it didn't become an issue of
26 timeliness. Thank you.

27 MR. MASAITIS: Your Honor, if I can just have five
28 minutes to address an issue related to Dr. Moline, who

1 College of Occupational and Environmental Medicine. And
2 I'm on the executive board and currently secretary of
3 the New York Chapter. I've been involved with the
4 American Public Health Association, The Association of
5 Teachers of Preventive Medicine, when I was back doing
6 residency training.

7 I'm also a member of the American College of
8 Physicians, which is the internal medicine professional
9 organization, as well as the State Medical Society.

10 Q. Okay. And have you -- we've heard about the
11 peer-review literature. Have you published in the
12 peer-review literature?

13 A. I have.

14 Q. Have you ever published on a topic of
15 asbestos or asbestos disease?

16 A. Yes.

17 Q. About how many times?

18 A. Specifically related to asbestos or asbestos
19 exposure, I have two articles recently.

20 Q. Okay. And have you served on the other side
21 of that? In addition to being an author, have you
22 served as a peer reviewer?

23 A. Yes.

24 Q. For what journals?

25 A. Well, I'm deputy editor in chief of the
26 Archives of Environmental & Occupational Exposure
27 [verbatim] now. And I've also been a reviewer for the
28 Journal of the American Medical Association, for the

1 clinical centers. We have -- we are in charge of the
2 Long Island clinical centers, which is where our -- some
3 of our hospitals are based. And we see folks who have
4 work-related exposures who come to us.

5 I get referrals in from employers, from work
6 groups, from unions, from word of mouth, from my
7 colleagues, other physicians, with folks that might have
8 an exposure to see if it's affecting their health.

9 Q. Okay. And do you actually see groups of
10 people with a history of exposure to asbestos and track
11 their health?

12 A. We do. We're actually -- we have what we're
13 calling the Occupational Health Registry -- or the
14 Occupational Lung Registry, I'm sorry -- where we're
15 following groups of workers who have had asbestos
16 exposure. And we see about 700 individuals a year.

17 I'm in charge of that overall program, where
18 we see how many of them have evidence of
19 asbestos-related diseases and make recommendations to
20 their overall health, whether it's an asbestos-related
21 disease, or whether it's general health, whether they
22 have high blood pressure, diabetes, or something else
23 that we may discover that we find that isn't well
24 controlled.

25 Q. And I understand that you've had some
26 involvement in dealing with the aftermath in terms of
27 health effects from 9/11; is that right?

28 A. Yes.

1 A. Yes.

2 Q. And do you also consider patients that come
3 to you in the context of medicolegal consulting like
4 what we're doing here today?

5 A. Yes.

6 Q. And how many people with mesothelioma have
7 you evaluated that have been exposed to cosmetic talc?

8 A. You know, I -- it's --

9 MR. CALFO: I'm going to object, Your Honor. That
10 calls for speculation.

11 THE COURT: Overruled.

12 THE WITNESS: There are about 41 cases of
13 individuals that I've reviewed records or have in some
14 cases had the opportunity to evaluate.

15 Q. BY MR. STUEMKE: Okay. And would those
16 evaluations include learning about their occupational
17 and environmental history of exposures?

18 A. Yes.

19 Q. And for about how many of those people with
20 mesothelioma with a history of cosmetic talc use was
21 cosmetic talc their only known exposure to asbestos?

22 MR. CALFO: Your Honor, objection. We're getting
23 beyond this case. Irrelevant.

24 THE COURT: Overruled. It goes to her experience.

25 THE WITNESS: About 75 to 80 percent of them there
26 was no other competing cause. Or there was no other
27 potential exposure.

28 Q. BY MR. STUEMKE: Okay. So for about

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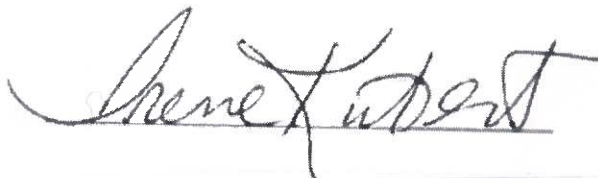
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7)
8 TINA HERFORD and DOUGLAS HERFORD,)
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10) No. BC646315
11 AT&T CORP., a subsidiary of AT&T INC. and)
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COMPANY, et al.,)
13 Defendants.)
_____)

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16 I, IRENE KUBERT, CSR No. 10105, Official Reporter
17 Pro Tempore of the Superior Court of the State of
18 California, for the County of Los Angeles, do hereby
19 certify that the foregoing pages, 1499 - 1617, comprise
20 a full, true, and correct transcript of the proceedings
21 and testimony taken in the matter of the above-entitled
22 cause on October 26, 2017.

23 Dated this 26th day of October, 2017.

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28 IRENE KUBERT, RMR, CRR, CLR

Official Reporter Pro Tempore, CSR No. 10105